

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 395

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JO ANN M. CANICH
Junior Party,

v.

JAMES C. STEVENS, FRANCIS J. TIMMERS,
DAVID R. WILSON, GREGORY F. SCHMIDT,
PETER N. NICKIAS, ROBERT K. ROSEN,
GEORGE W. KNIGHT and SHIH-YAW LAI
Senior Party.

Patent Interference No. 103,067

JUDGMENT

Before CAROFF, METZ, and LORIN, Administrative Patent Judges.

LORIN, Administrative Patent Judge.

Interference No. 103,067

Having decided all the issues properly raised by the parties in their briefs (see the Board's Final Decision (paper no. 394), we now enter judgment in this interference pursuant to our authority under 37 CFR § 1.658(a).

As to the subject matter of the count, judgment is entered in favor of junior party, Jo Ann M. Canich and judgment is awarded against senior party James C. Stevens, Francis J. Timmers, David R. Wilson, Gregory F. Schmidt, Peter N. Nickias, Robert K. Rosen, Gregory W. Knight and Shih-Yaw Lai.

Jo Ann M. Canich, the junior party, is entitled to a patent containing claims 22-26 of application 07/844,813 corresponding to Count 2.

James C. Stevens, Francis J. Timmers, David R. Wilson, Gregory F. Schmidt, Peter N. Nickias, Robert K. Rosen, Gregory W. Knight and Shih-Yaw Lai, the senior party, are not entitled to a patent containing claims 3 and 23 of their application 07/545,403 corresponding to Count 2.

MARC L. CAROFF)	
Administrative Patent Judge)	
)	
)	
)	BOARD OF PATENT
ANDREW H. METZ)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
)	
)	
HUBERT C. LORIN)	
Administrative Patent Judge)	

Interference No. 103,067

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